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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA and)
PEOPLE OF THE STATE OF CALIFORNIA)
by and through CALIFORNIA REGIONAL)
WATER QUALITY CONTROL BOARD,)
SAN FRANCISCO BAY REGION,)
Plaintiffs,)
v.)
CITY AND COUNTY OF SAN FRANCISCO,)
Defendant.)

) Case No: 3:24-cv-02594-AMO
**UNITED STATES' MOTION FOR
STAY OF DEADLINES IN LIGHT
OF LAPSE IN APPROPRIATIONS**
Hon. Araceli Martínez-Olguín

UNITED STATES' MOTION FOR STAY
OF ALL DEADLINES IN LIGHT OF
LAPSE IN APPROPRIATIONS
Case No. 3:24-cv-02594-AMO

1 **UNITED STATES' MOTION FOR STAY OF DEADLINES IN LIGHT OF LAPSE OF**
2 **APPROPRIATIONS**

3 On April 14, 2025, the Court ordered the stay of all litigation deadlines in the above-
4 captioned matter through October 31, 2025, pending ongoing mediation. (ECF No. 34). The
5 Court also ordered the parties to submit a joint status report on the status of mediation by
6 October 31, 2025. *Id.* Plaintiff, the United States of America, hereby moves for a stay of all
7 deadlines, including submission of the joint status report and any litigation deadlines following
8 October 31, 2025, in light of the ongoing lapse of appropriations to the U.S. Department of
9 Justice.

10 1. At the end of the day on September 30, 2025, the appropriations act that had been
11 funding the U.S. Department of Justice expired and those appropriations to the Department
12 lapsed. The Department does not know when such funding will be restored by Congress.

14 2. Absent an appropriation, U.S. Department of Justice attorneys are prohibited from
15 working, even on a voluntary basis, except in very limited circumstances, including
16 “emergencies involving the safety of human life or the protection of property.” 31 U.S.C.
17 § 1342.

19 3. Undersigned counsel for the U.S. Department of Justice therefore requests a stay
20 of all deadlines in this case until Congress has restored appropriations to the Department.

21 4. If this motion for a stay is granted, undersigned counsel will notify the Court as
22 soon as Congress has appropriated funds for the Department. The United States requests that, at
23 that point, all current deadlines for the parties be extended commensurate with the duration of the
24 lapse in appropriations – i.e., each deadline would be extended by the total number of days of the
25 lapse in appropriations.

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1 5. Opposing counsel, counsel for Plaintiff State of California, and counsel for
2 Plaintiff-Intervenor San Francisco Baykeeper have authorized counsel for the United States to
3 state that the other parties have no objection to this motion.

4 Therefore, although we greatly regret any disruption caused to the Court and the other
5 litigants, the United States hereby moves for a stay of all deadlines in this case until U.S.
6 Department of Justice attorneys are permitted to resume their usual civil litigation functions.
7

8 Respectfully submitted,

9
10 Dated: October 21, 2025

11 FOR PLAINTIFF THE UNITED STATES OF
12 AMERICA

13 By: s/ Sheila McAnaney

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